



**NORTHWEST BERGEN COUNTY
UTILITIES AUTHORITY**

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**MINUTES
REGULAR MEETING
April 19, 2016**

1. The Meeting was called to order at 8:13pm.
2. The Chairman read the statement in compliance with C. 231, PL 1975.
3. Roll Call: The following Commissioners were present: Danubio, DaPuzzo, DePhillips, Gabbert, Plumley, and Chairman Chewcaskie. The following Commissioners were absent: Bonagura, Kasparian and Kelaher.
4. Salute to the Flag was led by the Chairman.
5. Swearing in of Commissioner: John Danubio of Waldwick, New Jersey sworn in by Michael D'Anton, Esq. and recited the Oath of Office.

Chairman Chewcaskie added Commissioner Danubio onto the Operating Committee.

6. The Chairman Remarks: There were no Chairman's Remarks.
7. Consideration for approval of minutes:
 - a. Regular Meeting – March 15, 2016: Commissioner DaPuzzo motioned to accept the minutes from the March 15, 2016 Regular Meeting, Commissioner Plumley seconded the motion. The following Commissioners voted yes: DaPuzzo, DePhillips, Plumley and Chairman Chewcaskie. The following Commissioners abstained: Danubio and Gabbert.
8. Public Comments: Frank Palladino, resident of 18 Sycamore Drive, Waldwick, NJ – Mr. Palladino welcomed Commissioner Danubio to the Board and is glad to see Waldwick representation on the Board again.

Mr. Palladino asked what impact the outside septage trucks have on odor issues and if there is more of a possibility for odor with these trucks. Chairman Chewcaskie informed him that the Authority is currently accepting trucks within different areas of the plant. New waste that the Authority has been receiving has greater solids so it is getting introduced into the system at a different point than the other trucks. The complaints that get received from these other dump areas is primarily related to noise. The Authority is exploring different areas to receive outside septage to keep odors to a minimum from these deliveries.

Mr. Hurwitz added that this waste that is getting introduced at a different area of the plant comes here already processed so there is really no odor.

Commissioner DaPuzzo added that the possibility of odors from the outside septage trucks is actually less likely of a possibility. When the trucks offload they dump into a holding tank. Additionally, these outside septage deliveries help to increase flow which again, helps to reduce the potential for odors.

Mr. Palladino was very pleased with the discussion on how to handle the electrical supervisor position during the Work Session. He also agreed with the process of eminent domain to potentially acquire the property next to the Midland Park Pump Station or a lease option.

Mr. Palladino advised the Board that he has tried to reach out to Maria Coppolla at the NJDEP. However, he is just having a difficult time setting up a conversation with her.

Mr. Palladino also inquired about whether Commissioner Danubio's position as Commissioner is paid or volunteer. The position is volunteer.

9. Consideration for approval list of Resolutions dated April 19, 2016.

- a. The Commissioners voted on Resolution No. 42-2016 through 45-2016 by Consent Resolution. Commissioner DaPuzzo offered the Consent Resolution and Commissioner Gabbert seconded. All present Commissioners voted yes.

Resolution No. 42-2016 – Approval of vouchers, payroll and tax deposits and pensions and benefits transfers for March 2016 and Health and Dental Benefits for April 2016 as follows: Payroll Account: \$205,260.73; Tax Deposit Acct: \$103,472.45; Health Benefits Contribution-Employer: \$112,901.20; Health Benefits Contribution Employee: \$9,357.31; Dental Benefits: \$4,175.38; PERS and Contributory Insurance: \$31,050.90; PERS Employer Liability: \$435,835.00; Operating Account: \$408,835.68; General Improvement Account: \$562,455.04; 2014 WWT Project Account: \$2,490.52; 2015 WWT Project Account: \$210,556.01.

Resolution No. 43-2016 –Proposed Sanitary Sewer Extension – 16 Mountain Avenue, Township of Mahwah: An application was submitted on behalf of the Township of Mahwah for a proposed sanitary sewer extension which would provide sanitary sewer services to 1 proposed single family home. The project will contribute an average daily flow of 300 gallons per day, or 1 additional residential EDU. This resolution approves this application subject to the fulfillment of certain terms and conditions by the Applicant.

Resolution No. 44-2016 – Resolution authorizing the Purchase of Energy Generation Services for Public Use on an Online Auction Website: The Authority has previously participated in the purchasing of electricity through an on-line reverse

auction process and has been purchasing electric power at a fixed price for the past 24 months. This resolution authorizes the staff to participate in an online reverse auction through EMEX, LLC for the purchasing of electricity from third party suppliers for use by the Authority.

There was a brief discussion regarding this Resolution in the Work Session. The Auction was supposed to take place the day of the meeting, however there has been a delay and it will take place at a later date.

Resolution No. 45-2016 – Resolution to amend Special Counsel Professional Services Contract – The Authority appointed Sokol Behot, LLP (the Sokol Firm) as Special Counsel on April 21, 2015. The original resolution and professional services agreement state the compensation for the Sokol Firm to be capped at \$18,000.00. This was then amended on October 20, 2015 to increase the fee to \$22,200. The not to exceed cost was amended again on February 16, 2016 to \$26,850. The Sokol firm has advised the Authority that due to ongoing mediation with Underground Utilities Corporation, that the \$26,850 will be exceeded and has requested the Authority increase the not to exceed cost to \$31,000. This resolution amends the professional services agreement to increase the not to exceed cost to \$31,000 and for the original resolution and agreement remain in full force and effect.

10. Report of Committees:

- a. Finance Committee – During the Work Session there was a brief discussion regarding the possible refinancing of the Authority's 2009 Bond Series. The Authority received unsolicited correspondence from both TD Bank and the Bergen County Improvement Authority. The primary concern at this time is how costly the professional services will be for refinancing and whether the savings will outweigh those costs. The Authority does not have any other information at this time regarding the possible refinancing.
- b. Personnel Committee – Two items were addressed during the Work Session:
 - i. Contract Negotiations: Contract Negotiations with Local 11 are moving into mediation. The first mediation meeting will be held on May 19th. Commissioner DePhillips would like for Mr. Bernstein, Authority's Labor Counsel, to meet with the personnel committee and/or the Board to discuss the progress that is made in the mediation session.
 - ii. Electrical Supervisor position: There was a lengthy discussion regarding the hiring of an electrical supervisor. The Authority currently employs an electronics supervisor. That supervisor has not been well and it was the intention of the Superintendent and Executive Director to alleviate some of his responsibility by filling an electrical supervisor position to supervise the electrical department. However, the electronics supervisor has submitted his resignation and there is now an urgency to fill the position of electrical supervisor. Mr. Hurwitz informed the

Board that the Authority has advertised for the position of electrical supervisor and would like to promote an employee into the position for a 90 day probationary period effective immediately and have the action ratified by the Board at the May meeting. This action would not change the number of employees nor would it change the salary structure. However, now that the Authority has received the resignation of the electronics supervisor, there needs to be action taken on what to do with those responsibilities.

Commissioner DaPuzzo raised the issue of whether there is a need now for the electrical supervisor. The electrical supervisor position was going to be filled to make accommodations for an employee but since that employee has now resigned since the initial recommendation, why doesn't the Authority just fill the position of electronics supervisor instead of filling two supervisory positions.

Mr. Genetelli and Mr. Hurwitz advised that the position of electronics supervisor had some interim responsibilities such as the electrical department and the incineration department. However, this has been too much span of control for one supervisor. There is a need for an electrical supervisor, however there is uncertainty at this time what the other supervisor should be, if it should be more closely related to incineration or electronics.

Commissioner DePhillips recommends waiting until the next meeting to take action. The original recommendation was to hire an electrical supervisor to alleviate some responsibility to accommodate the electronics supervisor. Now that the electronics supervisor has resigned, the issue has become different. Time is needed to formulate a course of action. In the meantime, Mr. Genetelli will delegate the work in the department until a plan is formulated.

Chairman Chewcaskie agreed that the Authority needs to take a look at what needs to be done at the supervisory level and then action can be taken at the next meeting. It appears that the electrical supervisor is needed. The electronics supervisor did have a lot of responsibility but it does appear that it may need to be broken up.

- c. Insurance Committee – Nothing further to Report
- d. Operating Committee – Nothing further to Report
- e. Strategic Plan Subcommittee – Wyckoff expansion discussion:

The Wyckoff expansion task force held its first meeting on April 13th. The following individuals were in attendance at the meeting: Commissioner DePhillips, Commissioner Gabbert, Howard Hurwitz, Financial Advisor Bob Benecke, Wyckoff Administrator Bob Shannon, Wyckoff DPW Manager Scott Fischer and Douglas Bern.

Commissioner DePhillips briefed the Board on how the meeting went. The meeting was very productive. The goals of the Authority and the Township were discussed. The Knolls area of Wyckoff is still being identified as the neighborhood to pursue sewers. Other neighborhoods were identified, however the discussion always seemed to lead back to the Knolls. Mr. Shannon is going to report back to the Mayor and Council and work to get a buy in on the expansion. Financing for this project was discussed in detail at the meeting. Questions arose about what the Authority and what the Township would each be financially responsible for.

Mr. Hurwitz explained that the Boswell Knolls study focused on a municipal sewer system installation. The issue with this is that even if all 410 properties in the neighborhood connected, the additional service charges collected still would not be enough to cover the debt service for installation over the next 20 years. Another approach that can be taken is extending the NBCUA interceptor to reach more neighborhoods and be more readily available for neighborhoods to connect.

Commissioner DePhillips asked why the 2008 Boswell study on the Knolls area did not go anywhere. Chairman Chewcaskie responded that the report did not gain traction. It may have been that Wyckoff had a lack of interest at the time and the Authority may not have pushed it. He had only been on the Board for a short period of time at that point so he isn't completely certain as to why the report did not go anywhere.

Chairman Chewcaskie informed the Board that Franklin Lakes has requested to hold a meeting with the Authority to discuss what assistance the Authority can provide for the installation of sewers. If the Authority were to invest in the installation then the borough would have to enforce mandatory hookups by residents. Residents in Franklin Lakes do want to connect, however it is the cost that is the biggest hurdle.

Chairman Chewcaskie and Commissioner DePhillips both stressed that there will need to be a uniform policy of what the Authority will do financially for sewer installation in municipalities.

- f. Building and Grounds Committee – Nothing further to Report
 - g. Safety and Security Committee – During the Work Session Mr. Hurwitz indicated that the report for the proposed security improvements has been submitted by T&M Associates. The Authority still needs to review the proposal and determine what recommendations to go forward with as some of the items are costly.
 - h. Intellectual Technology Committee – Nothing further to report
11. Report of Treasurer – Short term investments – Approximately \$1 million is being held at TD Bank in lieu of fees. Approximately \$1 million is being held at TD Bank at a rate of

\$0.10%; approximately \$7.2 million is being held at Santander Bank at a rate of 0.51%; approximately \$400,000 is being held at Bank of New Jersey at a rate of 0.5%.

Monthly Financial Statement: Overall operating revenues are doing well for the first quarter. There is a slight lag in time from when outside septage is billed and when payment is received. However, outside septage is expected to meet or exceed the budget. In expenditures, health benefits also show a variance due to a lag time from when the bill is paid to when the Authority collects the employee contribution portion. Under cost of providing services there are variances due to employee overtime which resulted from the Midland Park sewer line collapse as well as the cost of rebuilding the incinerator feed pump.

12. Report of Counsel (given by Michael D'Anton, Esq.) – The following item was addressed in the Work Session:

Midland Park Pump Station: Last meeting the Board requested Mr. Garcia to contact the owner of the parking lot adjacent to the Midland Park Pump Station. Kuiken Brothers. Chairman Chewcaskie recused himself from this discussion. The owner indicated that he is not interested at this time to voluntarily sell the property. There are other courses of action that can be taken such as eminent domain or entering into a lease. The Authority will compile a list of alternatives that can be pursued. The intent of this is for the installation of an emergency bypass that would take place in the event of a complete failure at the pump station. The Authority would need access to the parking lot to put a trailer if the emergency actions at the Pump Station had to be taken.

13. Report of Engineer – Nothing further to Report.

14. Report of Executive Director – During the Work Session the following topics were discussed:

- a. 2017 Capital NJEIT Projects: Mr. Hurwitz recommended that the Authority not pursue the Midland Park Force Main Project at this time. The project is going to cost more than originally expected. Additionally, the NJDEP will not allow the Authority to proceed with this project without doing a stage 2 environmental impact analysis study.
- b. Incinerator Emissions Upgrade Project: The Contractor has been put on notice that they have passed the completion deadline for the project. The Authority's engineer, Chris Doelling has assessed Liquidated damages for passing the deadline. There has been discussions between Mr. Doelling and the contractor regarding the operation of the incinerator while the contractor performs work. Mr. Doelling has been very diligent with his work on this project. Additionally, the EPA has been notified that the project should be completed and operating in September. Chairman Chewcaskie asked if that new deadline is realistic. Mr. Hurwitz and Mr. Genetelli both responded yes.

15. Report of Superintendent – Nothing further to Report.

16. Old Business: No old business.

17. New Business: No new business.

18. Public Comments: No public Comments.

19. Adjournment: Commissioner Danubio made a motion to adjourn the Regular meeting at 8:31pm. Commissioner DePhillips seconded the motion. All present Commissioners voted in favor of ending the meeting at 8:31pm.



ALISON GORDON, SECRETARY